UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/287,296	YUN ET AL.
	Examiner	**Art Unit**
	Steven R. Wasylchak	3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 June 2004</u> .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21 and 23-34</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21 and 23-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6)☐ Other: .

DETAILED ACTION

Response to Amendment

1.   Claims 1-21 are pending. Claim 22 Is cancelled. Claims 23-34 are new. This action is in response to amendment filed June 21, 2004.

2.   Examiner's argument: in essence, applicant sets forth an HTML web product and service search engine tool using standard database software tools and programming software tools. Applicant's pre-condition part establishes the link ("href"); the regular expression is the search term or an extraction pattern class variable (the "wildcard" varies) class that "points" to the sought after subclass extraction parameter value; and a post condition regular expression within a bra and a ket which are typically used for comments. This is merely, as Applicant notes in the specification, searching by using the index's heading class in the back of a textbook for a subclass subsumed within and under the index--going from the general to the specific or from genus to species. But we note that this class-subclass technique is used in the construction of relational databases; that defining variables is done, for example, in the preamble of C language and that comments are used in C or HTML language as well. Also, HTML's use of link pattern and meta tags structure strongly suggests search engine tools and infrastructure. This reasoning is *carried over* in the use of official notice *below*.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-19 and 21-34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dworkin (US 4,992,940).

As per claim 1,

A method of providing information about a product, the product available for

purchase from a plurality of sources, the method comprising:

-receiving a selection of a product category from a predefined set of

product categories using information about the product; / abstract (predefined "various

categories"); fig 1, fig 6; col 1, L 63 to col 2, L 41

-accessing a list of extraction parameters for the product category; / fig 4-8

-receiving a selection of at least one extraction parameter in the list of

extraction

parameters; / col 2, L 25-41

-Dworkin teaches for each of the plurality of sources, / fig
2B(51,53,55,61): fig 3; col 2, L 19-41.

However, Dworkin does not explicitly teach creating a corresponding program including

identifying a corresponding web site, the corresponding web site selling the product.

Official notice is taken that this feature of creating a corresponding program

including identifying a corresponding web site, the corresponding web site selling the

product is old and well known in the e-commerce art and / or retail art as link

construction in HTML (see Examiner argument above). It would have been obvious to

one of ordinary skill in the art at the time of applicant's invention to

implement this feature for the advantage of increased revenue by greater exposure to

new on-line customers and products.

-Dworkin teaches providing a tool for creating the corresponding program to

extract data using the at least one extraction parameter; / fig 6,7; col 2, L 19-41("internal

number or other designator","number or identifier"). However, Dworkin does not teach

the web site. Official notice is taken that this feature of web site is old and well known in

the e-commerce art and / or retail art as link construction in HTML (see Examiner

argument above). It would have been obvious to one of ordinary skill in the art at the

time of applicant's invention to implement this feature for the advantage of increased

revenue by greater exposure to new on-line customers and products.

-receiving a connection from a client, the connection including a value for the at

least one extraction parameter; and / fig 6,7; col 1, L 53-68

-simultaneously providing for each of the plurality of sources in the product

category, providing product information for the product using the value for the at least

one extraction parameter and the corresponding

program, / fig 6, 7

-including:

when the product information includes product information for at least two

sources of the plurality of sources, simultaneously providing the product

information for the at least two sources of the plurality of sources. / fig 6, 7

As per claim 2,

Dworkin teaches the providing the tool for creating the corresponding program to extract

data from the corresponding site using the at least one extraction parameter/ fig 6,7; col

1, L 53-68. However, Dworkin does not disclose providing a graphical user interface

tool for developing the corresponding program, the graphical user interface tool

including a web browser. Official notice is taken that this feature of providing a

graphical user interface tool for developing the corresponding program, the graphical

user interface tool including a web browser is old and well known in the e-commerce art

and / or retail art. It would have been obvious to one of ordinary skill in the art at the

time of applicant's invention to implement this feature providing a graphical user

interface tool for developing the corresponding program, the graphical user interface

tool including a web browser for the advantage of efficient use of the computer display

to access a website.

As per claim 3,

Dworkin teaches the first tool for developing an extraction pattern, the extraction pattern

identifying a plurality of portions of a document. / col 3, L 60-68 ("equivalent ...of

catalogs" where catalogs are documents); col 4, L 3-24. However, Dworkin does not

teach a web site. Official notice is taken that this feature of a web site is old and well

known in the e-commerce art and / or retail art. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this feature of a

web site for the advantage of increased revenue by greater exposure to new on-line customers.

As per claim 4,

The method of claim 3, further comprises:

       -receiving a selection signal; / col 2, L 6-37

-Dworkin teaches applying the extraction pattern to find a matching pattern in a document displayed in a source view in the; and/ fig 3,6,7. However, Dworkin does not teach a web site. Official notice is taken that this feature of a web site is old and well known in the e-commerce art and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a web site for the advantage of increased revenue by greater exposure to new on-line customers and products.

       -displaying a rendered version of the matching pattern in a window. / fig 6,7

As per claim 5,

The method of claim 3, wherein the graphical user interface tool further includes a plurality of predefined extraction patterns. / col 2, L 6-25; fig 3:main menu

As per claim 6,

The method of claim 5, wherein the plurality of predefined extraction patterns includes at least one of an extraction patterns includes for matching a hyperlink, an extraction pattern for matching a form, and an extraction pattern for matching a price. / fig 3,6,7; col 2, L 19-32 where the form is on the display linked to the Main Menu of fig 3.

As per claim 7,

The method of claim 3, wherein the graphical user interface tool further

comprises:

Dworkin teaches identifying a form on the document / fig 3; col 2, L 6-18.

col 5, L 62-68: multiple choice screen form. However, Dworkin doe not teach on the

web site. Official notice is taken that this feature of a web site is old and well known in

the e-commerce art and / or retail art. It would have been obvious to one of ordinary

skill in the art at the time of applicant's invention to implement this feature of a web site

for the advantage of increased revenue by greater exposure to new on-line customers

and products.

-creating a step in the corresponding program, the step to submit the form

without retrieving the document; / fig 3(menu is the form); col 2, L 6-36; col 5, L 62-68:

multiple choice screen form.

-generating a plurality of parameters associated with the step, the plurality of

parameters corresponding to inputs in the form; and / fig 3 (menu is the form

equivalent on the display or it can be printed out); col 2, L 6-36; col 5, L 62-68: multiple

choice screen form.

-identifying at least one of the plurality of parameters with the at least one

extraction parameter. / fig 3; col 2, L 6-36

As per claim 8,

The method of claim 1, wherein the providing the tool for creating the

corresponding program to extract data from the site using the at least one extraction

parameter further comprises defining a plurality of steps wherein at least one step in the

plurality of steps interacts with the site and operates on the results of the interaction. /

fig 3, 7; col 4, L 3-30.

However, Dworkin does not teach a web site. Official notice is taken that this feature of

a web site is old and well known in the e-commerce art and / or retail art. It would have

been obvious to one of ordinary skill in the art at the time of applicant's invention to

implement this feature of a web site for the advantage of increased revenue by greater

exposure to new on-line customers and products.

As per claim 9,

The method of claim 8, wherein the defining the plurality of steps comprises, for

each of the plurality of steps, receiving a selection of an extraction command from a

predetermined list of extraction commands. / fig 3(main menu) or fig 4; col 2, L 6-36

As per claim 10,

The method of claim 9, wherein the predetermined list of extraction commands

includes extraction commands for retrieving multiple matches of an extraction pattern

from a document. / fig 3 or fig 4: menu is the document on the display

As per claim 11,

The method of claim 9, wherein the predetermined list of extraction commands includes

extraction commands for extracting data from a first document and a second document,

the first document including a reference to the second document. / fig 3 or fig 4: menu is

the document on the display

As per claim 12.

The method of claim 9, wherein at least one step in the plurality of steps includes a

test condition comprising a logical test for at least one corresponding argument

and a first step in the plurality of steps, and wherein the program continues executing at

the first step if the logical test is satisfied. / fig 2A(23-33); col 9, L 28-35

As per claim 13,

The method of claim 12, wherein the at least one corresponding argument includes

an extraction pattern. / fig 2A (29,31;35,37); col 9, L 28-35

As per claim 14,

Dworkin teaches the test condition further comprises a result code,

wherein the program returns an error if the result code is changed result

code. / col 4, L 35-44 (identification error); col 9, L 28-35. However, Dworkin does not

teach a web site. Official notice is taken that this feature of a web site is old and well

known in the e-commerce art and / or retail art. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this feature of a

web site for the advantage of increased revenue by greater exposure to new on-line

customers and products.

As per claim 15,

The method of claim 12, wherein the test condition further comprises a result code,

wherein the program returns an error when the result code is a no matching products

result code./ col 9, L 28-35

As per claim 16,

The method of claim 9, wherein the predetermined list of extraction commands

includes extraction commands for segmenting a document into a plurality of units, each

of the plurality of units matching an extraction pattern. / fig 3, 7; col 2, L 6-36

As per claim 17,

The method of claim 16, wherein at least one step in the plurality of steps uses an

extraction command to segment a document into a plurality of units, and wherein the

step further includes a test condition, the test condition comprising a logical test and at

least one argument, and wherein for each of the plurality of units, the logical test is

computed with the at least one argument, and the unit is removed from the plurality of

units if the logical test is not satisfied with the at least one argument. / fig 2A

(29,31;35,37); col 9, L 28-35

As per claim 18,

An apparatus for providing information about a product, the product available for

purchase from a plurality of sources, the apparatus comprising:

    -means for receiving a selection of a product category from a predefined set of

product categories using information about the product; / col 2, L 6-36

    -means for accessing a list of extraction parameters for the product category; /

fig 3,4; col 2, L 6-36; claim 1 above

        -means for receiving a selection of at least one extraction parameter in the list of

            extraction parameters; / fig 7; col 2, L 6-36, 54-57; claim 1 above

        -means for creating a corresponding program for each of the plurality of sources,

the means for creating a corresponding program for each of the plurality of

sources including / abstract; col 1, L 53-60; col 2, L 6-36

-Dworkin teaches a means for identifying a corresponding site, the corresponding

site selling the product and / fig 6, 7. However, Dworkin does not teach a web site.

Official notice is taken that this feature of a web site is old and well known in the e-

commerce art and / or retail art. It would have been obvious to one of ordinary skill in

the art at the time of applicant's invention to implement this feature of a web site for the

advantage of increased revenue by greater exposure to new on-line customers and

products.

-Dworkin teaches a means for creating the corresponding program to extract data from

the site using the at least one extraction parameter; / col 2, L 6-36

However, Dworkin does not teach a web site. Official notice is taken that this feature

of a web site is old and well known in the e-commerce art and / or retail art. It would

have been obvious to one of ordinary skill in the art at the time of applicant's invention to

implement this feature of a web site for the advantage of increased revenue by greater

exposure to new on-line customers and products.

-means for receiving a connection from a client, the connection including a value

for the at least one extraction parameter; and / fig 1; col 2, L 6-36, 54-57

-means for simultaneously providing product information for the product from

each of the plurality of sources using the value for the at least one extraction

parameter and the corresponding program, / fig 3,4, 6, 7

- when the product information includes product information for at least two

sources of the plurality of sources, simultaneously providing the product

information for the at least two sources of the plurality of sources. / fig 6, 7

As per claim 19,

The apparatus of claim 18, wherein the means for creating a corresponding

program to extract data from the site includes means for selecting an instruction from a

predetermined list of instructions. / fig 3,4:menu; col 2, L 6-36

As per claim 21,

A computer data signal embodied in a carrier wave comprising:

-Dworkin teaches a computer program for developing descriptions of data of interest a

set of instructions for developing an extractor pattern interactively / fig 3,4:menus; col 1,

L 61-68; col 3, L 24-26.   However, Dworkin does not teach a web page. Official notice

is taken that this feature of a web page is old and well known in the e-commerce art and

/ or retail art. It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature of a web page for the advantage of

increased revenue by greater exposure to new on-line customers and products.

-a set of instructions for receiving a selection of an instruction from a predefined

> set of instructions for inclusion of the instruction in the description of data

> of interest; / fig 3,4:menus; fig 6,7; claim 1 above

-a set of instructions for associating the extractor pattern with the instruction;

> and / fig 3,4:menus; fig 6,7; claim 1 above

-a set of instructions for testing the instruction using the extractor pattern and

> the contents of a buffer; / fig 3,4:menus; col 3, L 24-26

-a set of instructions for when at least two sources from a plurality of sources,

      simultaneously providing the product information for the at least two sources of

      the plurality of sources. / fig 3,4:menus, fig 6,7

22. (Canceled)

23. (New) Dworkin does not explicitly disclose the method of claim 1 wherein said

extraction pattern comprises a pre-

condition regular expression, a portion of data of interest regular expression, and a

post-condition regular expression and wherein said developing comprises refining at

least one of said pre-condition regular expression, said portion of data of interest regular

expression, and said post-condition regular expression. Official notice is taken that

these features are old and well known in the e-commerce art and / or retail art as link

construction in HTML (see Examiner argument above). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to implement

this feature for the advantage of increased revenue by greater exposure to new on-line

customers and products.

24. (New) The method of claim 23 wherein said portion of data of interest regular

expression includes a variable that is replaced with said value for said extraction

parameter during said providing./ refer to claim 1

25. (New) The method of claim 1 wherein the data of interest is provided incrementally

as it is obtained from the plurality of web sites./refer to claim 1

26. (New) The method of claim 1 wherein, the data of interest is obtained from the

plurality of web sites and then presented simultaneously./ refer to claim 1

27. (New) The apparatus of claim 18 wherein said extraction pattern comprises a pre-condition regular expression, a portion of data of interest regular expression, and a post-condition regular expression and wherein said means for developing comprise refining at least one of said pre-condition regular expression, said portion of data of interest regular expression, and said post-condition regular expression/refer to claim 1

28. (New) The computer data signal of claim 21 wherein said extraction pattern comprises a pre-condition regular expression, a portion of data of interest regular expression, and a post-condition regular expression and wherein said operations for developing comprise refining at least one of said pre-condition regular expression, said portion of data of interest regular expression, and said post-condition regular expression/refer to claim 1

29. (New) The method of claim 1 wherein the data of interest is information associated with a product or information associated with a service./ refer to claim 1

30. (New) The apparatus of claim 18 wherein the data of interest is information associated with a product or information associated with a service./ refer to claim 1

31. (New) The computer data signal of claim 21 wherein said data of interest is a product, information, or a service./ refer to claim 1

32. (New) A computer implemented method of obtaining data of interest from a plurality of web sites comprising:

(A) developing a description of data of interest for each web site in said plurality of web sites, based on output from the plurality of web sites, each respective description of data of interest specifying an address for a corresponding web site in the plurality of

web sites and each respective description of data of interest including an extraction

patter for extracting user specified information from the corresponding web site;/ refer to

claim 1

(B) receiving a value that can be used as an extraction parameter for the developed

extraction patterns; and/ refer to claim 1

(C) obtaining said data of interest by querying web sites in the plurality of web sites

using the value and the extraction patterns in the respective descriptions of data of

interest/ refer to claim 1

33. (New) The computer implemented method of claim 32 wherein each said extraction

pattern comprises a pre-condition regular expression, a portion of data of interest

regular expression, and a post-condition regular expression and wherein said

developing comprises refining at least one of said pre-condition regular expression, said

portion of data of interest regular expression, and said post-condition regular

expression/ refer to claim 1

34. (New) The computer implemented method of claim 32 wherein said data of interest

is a product, information, or a service./ refer to claim 1

5.   Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Dworkin

(4,992,940) and in view of Gregory (US 6,490,567).

As per claim 20,

 Dworkin teaches the means for creating a corresponding program to extract data /fig

2A,2B. However, Dworkin does not teach a web site or web browser. Gregory does

teach a web site and web browser /col 5, L 3-21; col 6, L 25-30,50-54. It

would have been obvious to one of ordinary skill in the art to use this limitation of web site and web browser to reach more potential customers with more products and thus increase revenue.

This action is **FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 8:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak   9/23/04

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